**Application Number** 10/735,732 **TRANSMITTAL** Filing Date December 16, 2003 **FORM** (to be used for all correspondence after initial filing) First Named Inventor Atsushi TOKUDA, et al. Group Art Unit Confirmation No. 3635 Total Number of Pages in This Submission Attorney Docket Number 740756-2684 ENCLOSURES (check all that apply) Fee Transmittal Form Assignment Papers (for an Application) ☐ Fee Attached Appeals and Interferences Drawing(s) Amendment / Reply Declaration and Power of Attorney ☐ After Final Licensing-related Papers Proprietary Information Status Letter Petition ☐ Affidavits/declaration(s) × **Application Data Sheet** Petition to Convert to a Provisional Extension of Time Request Application Express Abandonment Request Power of Attorney, Revocation Change of Correspondence Address Information Disclosure Statement acknowledging receipt Terminal Disclaimer Certified Copy of Priority Request for Refund Document(s) CD, Number of CD(s) Response to Missing Parts/ Incomplete Application × Response to Missing Parts under 37 CFR 1.52 or 1.53 Remarks above identified docket number.

UNITED STATES DEPARTMENT OF COMMER United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Dox 1450

P.C. Box 1450 Alexandria, Vinginia 22313-1450

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/735,732

NIXON PEABODY, LLP

401 9TH STREET, NW

**WASINGTON, DC 20004-2128** 

22204

SUITE 900

12/16/2003

Atsushi Tokuda

740756-2684

**CONFIRMATION NO. 3635** 

**FORMALITIES LETTER** 

OC000000012469080\*

Date Mailed: 04/28/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

## Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below. however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d))
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English. text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1,2.

## **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

07/48/2004 CNGUYEN 00000030 192380

130.00 DA 07/29/2004 CNBUYEN

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07/29/2004 CNGUYEN 00000025 192380

• \$130 for English translation surcharge required.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

## IP FEE TRANSMITTAL FOR FY 2004 Payont fees are subject to annual revision. Application and the status of the status of

TOTAL ANDOUNT OF PAYMENT 240.00

	Complete if Known				
	Application Number	10/735,732			
	Filing Date	December 16, 2003			
	First Named Inventor	Atsushi TOKUDA, et al.			
	Confirmation No.	3635			
	Art Unit				
_	Attorney Docket No.	740756-2684			

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)						
Check Credit Card Money Other None	3. ADDITIONAL FEES			FEES		*	
Deposit Account:		Large Entity Fee Fee		Entity	-		
Deposit Account 19-2380 (740756-2684)		Fee (\$)	Fee Code	Fee (\$)	Fee Description		
Number 19-2380 (740730-2084)		130	2051	65	Surcharge - English Translation	\$130.00	
	1052	50	2052	25	Surcharge - late provisional filing fee or cover		
Deposit	1053	130	1053	130	sheet Non-English specification	<u> </u>	
Account Nixon Peabody LLP		2,520	1812	2,520	For filing a request for ex parte reexamination		
		920*	1804	920*	Requesting publication of SIR prior to Examiner	<u> </u>	
The Commissioner is authorized to: (check all that apply)	1804	920	1004	920	action		
Charge fee(s) indicated below Credit any overpayments	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner		
Charge any additional fee(s)	1251	110	2251	55	action Extension for reply within first month	\$110.00	
Charge fee(s) indicated below, except for the filing fee	1252	420	2252	210	Extension for reply within second month		
to the above-identified deposit account.	1253	950	2253	475	Extension for reply within third month	<del></del>	
FEE CALCULATION	1254	1,480	2254	740	Extension for reply within fourth month		
1. BASIC FILING FEE	1255	2,010	2255	1,005	Extension for reply within fifth month		
Large Entity Small Entity	1401	330	2401	165	Notice of Appeal		
Fee Fee Fee Fee Description	1402	330	2402	165	Filing a brief in support of an appeal	,	
Code (\$) Code (\$) Fee Paid	1403	290	2403	145	Request for oral hearing	<u> </u>	
1001	1451	1,510	1451	1,510	Petition to institute a public use proceeding		
1001 770 2001 385 Utility filing fee	1452	110	2452	55	Petition to revive – unavoidable		
1002 340 2002 170 Design filing fee	1453	1,330	2453	665	Petition to revive – unintentional	<u> </u>	
1003 530 2003 265 Plant filing fee	1501	1,330	2501	665	Utility issue fee (or reissue)		
1004 770 2004 385 Reissue filing fee	1502	480	2502	240	Design issue fee		
1005 160 2005 80 Provisional filing fee	1503	640	2503	320	Plant issue fee		
SUBTOTAL (1) (\$) 0		130	1460	130	Petitions to the Commissioner		
(3) 0	1807	50	1807	50	Pursuasing for under 27 CFR 1 17(a)		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1807	50 180	1806	180	Processing fee under 37 CFR 1.17(q) Submission of Information Disclosure Strnt		
Fee from		40	8021	40	Recording each patent assignment per property		
Extra Claims below Fee Paid	8021				(times number of properties)		
Total Claims 19 -20 = 0 X \$18 = 0	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		
Independent   3   -3 =   0   X   \$86   =   0	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))		
Multiple Dependent $X = 0$	1801	770	2801	385	Request for Continued Examination (RCE)		
Large Entity Small Entity	1802	900	1802	900	Request for expedited examination of a design		
Fee Fee Fee <u>Fee Description</u>					application		
	Other	fee (specif	fy)				
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3							
1201 86 2201 43 Independent claims in excess of 3	*Reduced by Basic Filing Fee Paid SUBTOTAL (3) \$240.00						
1203 290 2203 145 Multiple dependent claim, if not paid							
1204 86 2204 43 ** Reissue independent claims over							
original patent 1205 18 2205 9 ** Reissue claims in excess of 20 and							
over original patent							
SUBTOTAL (2) (\$) 0  **or number previously paid, if greater, For Reissues, see above							
SUBMITTED BY  Complete (if applicable)							
Jeffrey I Costellia		ration No		35,483	(202) 585 800	<u> </u>	
Name (Frind Type)	Attori	ney/Agen	<i>t)</i>		reicpilone		
Signature /// DIMM	_				Date July 27, 2004	_ · · · · · · · · · · · · · · · · · · ·	